



General Assembly

## ***Amendment***

***January Session, 2015***

**LCO No. 7485**



Offered by:

SEN. OSTEN, 19<sup>th</sup> Dist.

SEN. FASANO, 34<sup>th</sup> Dist.

SEN. CHAPIN, 30<sup>th</sup> Dist.

To: Subst. Senate Bill No. **878**

File No. 152

Cal. No. 154

### ***"AN ACT REQUIRING COMMUNITY NOTIFICATION OF NEW RESIDENTIAL FACILITIES FOR OFFENDERS."***

1 After the last section, add the following and renumber sections and  
2 internal references accordingly:

3 "Sec. 501. Section 8-3e of the general statutes is repealed and the  
4 following is substituted in lieu thereof (*Effective October 1, 2015*):

5 (a) No zoning regulation shall treat the following in a manner  
6 different from any single family residence: (1) Any community  
7 residence that houses six or fewer persons with intellectual disability  
8 and necessary staff persons and that is licensed under the provisions of  
9 section 17a-227, (2) any child-care residential facility that houses six or  
10 fewer children with mental or physical disabilities and necessary staff  
11 persons and that is licensed under sections 17a-145 to 17a-151,  
12 inclusive, (3) any community residence that houses six or fewer  
13 persons receiving mental health or addiction services and necessary

14 staff persons paid for or provided by the Department of Mental Health  
15 and Addiction Services and that has been issued a license by the  
16 Department of Public Health under the provisions of section 19a-491, if  
17 a license is required, or (4) any hospice facility, including a hospice  
18 residence, that provides inpatient hospice care and services to six or  
19 fewer persons and is licensed to provide such services by the  
20 Department of Public Health, provided such facility is (A) managed by  
21 an organization that is tax exempt under Section 501(c)(3) of the  
22 Internal Revenue Code of 1986, or any subsequent corresponding  
23 internal revenue code of the United States, as from time to time  
24 amended; (B) located in a city with a population of more than one  
25 hundred thousand and within a zone that allows development on one  
26 or more acres; and (C) served by public sewer and water. The  
27 provisions of this subsection shall not apply if such community  
28 residence, child-care residential facility or hospice facility is located on  
29 a private road or nonconforming lot.

30 (b) Any resident of a municipality in which such a community  
31 residence or child-care residential facility is located may, with the  
32 approval of the legislative body of such municipality, petition (1) the  
33 Commissioner of Developmental Services to revoke the license of such  
34 community residence on the grounds that such community residence  
35 is not in compliance with the provisions of any statute or regulation  
36 concerning the operation of such residences, (2) the Commissioner of  
37 Children and Families to revoke the license of such child-care  
38 residential facility on the grounds that such child-care residential  
39 facility is not in compliance with the provision of any general statute  
40 or regulation concerning the operation of such child-care residential  
41 facility, or (3) the Commissioner of Mental Health and Addiction  
42 Services to withdraw funding from such community residence on the  
43 grounds that such community residence is not in compliance with the  
44 provisions of any general statute or regulation adopted thereunder  
45 concerning the operation of a community residence.

46 (c) The Commissioners of Public Health, Developmental Services

47 and Mental Health and Addiction Services, or their designees, shall  
48 annually notify the chief elected official and chief executive officer of a  
49 municipality of any such existing or proposed community residence or  
50 child-care residential facility located or proposed to be located in such  
51 municipality that is licensed, operated or funded by the  
52 commissioner's department."

This act shall take effect as follows and shall amend the following sections:

Sec. 501	October 1, 2015	8-3e
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